

REMARKS

At the outset, applicants would like to thank Examiner Pak for his time and consideration of the present application during the interview of July 9, 2004 with the undersigned attorney. The issues raised in the outstanding Official Action were discussed during the interview.

In the outstanding Official Action, it was noted that the term "selenomethyl selenocysteine" was interpreted as a single specific substance. Applicants agree with this interpretation and would like to thank the Examiner for his efforts in clarifying this point.

In the outstanding Official Action, the specification was objected to for not specifically referring to meningitis and rheumatoid polyarthritis as conditions that can be treated by the claimed invention.

However, the Examiner's attention is respectfully directed to page 6, line 22 in the present specification, wherein meningitis is cited as a condition that can be treated by the present invention. As to the treatment of rheumatoid polyarthritis, the specification has been amended to specifically recite the treatment of this condition. As the treatment of rheumatoid polyarthritis was disclosed in original claim 4, applicants believe that no new matter has been added to the present specification.

Claims 23, 24, 26, 29, 31-34, 44 and 47 were rejected under 35 USC §112, first paragraph, for allegedly failing to comply with the written description requirement. Applicants believe that the present amendment obviates this rejection.

In imposing the rejection, the Official Action alleged that selenocysteine-containing proteins, glutathione peroxidase and selenoprotein P were not originally disclosed as therapeutic agents in the present disclosure. As a result, the Patent Office stated that the present disclosure did not support claims reciting the administration of selenocysteine-containing proteins, glutathione peroxidase and selenoprotein P.

In the interest of advancing prosecution, independent claims 23, 35, and 44 have been amended so that they no longer specifically recite "a selenocysteine-containing protein". As to the recitations directed to the administration of glutathione peroxidase and selenoprotein P, applicants note that these recitations were recited in claim 47. Claim 47 has also been cancelled.

Thus, in view of the above, applicants believe that the claimed invention is supported by the present disclosure.

In view of the present amendment and the foregoing remarks, therefore, applicants believe that the present application is in condition for allowance, with claims 23, 24, 26, 28, 29, 31-36, 38, 40 and 44-46, as presented. Allowance and

passage to issue on this basis are accordingly respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

Philip Dubois
Philip Dubois, Reg. No. 50,696
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

PD/lk